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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Patent Application of

TOH

Serial No. 10/686,630

Filed: October 17, 2003

Atty. Ref.: 160-393

TC/A.U.: 2621

Examiner:

For: TEST TUBE TYPE DISCRIMINATION APPARATUS

\* \* \* \* \*

February 7, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

Attention is invited to the attached copy of an Official Action (including English translation) in the counterpart Japanese patent application mailed January 10, 2006 with respect to this disclosure and a copy of each document cited in it. A completed Form PTO/SB/08A is also attached.

Official citation and consideration of all the attached documents is requested. Please return to the undersigned a copy of the attached PTO/SB/08A with the examiner's initials in the left column [MPEP §609] with the next communication.

For purposes of adjustment of patent term, each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of this Information Disclosure Statement.

I hereby certify that each item of information contained herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months from the filing date of this statement [see 37 C.F.R. § 1.97(e) (1)].

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are

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material or constitute "prior art". If the examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 14-1140

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

SERIAL NO.

160-393

10/686,630

APPLICANT

ITO H

FILING DATE

TC/A.U.

October 17, 2003

2621

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

GENERAL-REVIEW DOCUMENTS							TRANSLATION	
DOCUMENT			DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
		2002-90374	3/2002	Japan			ABSTRACT	
		10-216640	8/1998	Japan			ABSTRACT	
		4-4265	1/1992	Japan				
		3-96841	4/1991	Japan			ABSTRACT	
		2003-506678	2/2003	Japan			ABSTRACT	
		2001-239221	9/2001	Japan			ABSTRACT	
		2002-247436	8/2002	Japan			ABSTRACT	
		WO 01/09593 A1	2/2001	PCT				

**OTHER DOCUMENTS** (including Author, Title, Date, Pertinent pages, etc.)

[illegible]

\*Examiner

/Dennis Rosario/

Date Considered

02/03/2009

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.R./

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